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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JAN 28 2004

TECHNOLOGY CENTER R3700

In re application of:

Gastineau *et al.*

Application No.: 09/536,258

Filed: March 27, 2000

For: **Hedging Exchange Traded Mutual
Funds or Other Portfolio Basket
Products**

Confirmation No.: 3646

Art Unit: 3628

Examiner: Charles, Debra

Atty. Docket: 00322.0007.NPUS00

SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. § 1.111**Mail Stop Non Fee Amendment**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 4, 2003, (PTO Prosecution File Wrapper Paper No. 5), and further to the Response timely filed on December 30, 2003, Applicants submit the following Amendment and Remarks.

It is not believed that extensions of time or fees for net addition of claims are required. However, if any extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing docket number 00322.0007.NPUS00.



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A LIMITED LIABILITY PARTNERSHIP

January 27, 2004



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop Non Fee Amendment

Re: U.S. Utility Patent Application No. 09/536,258
Filed: March 27, 2000 Confirmation No.: 3646
For: **Hedging Exchange Traded Mutual Funds or
Other Portfolio Basket Products**
Inventors: GASTINEAU, et al.
Attorney Docket No.: 00322.0007.NPUS00

Sir:

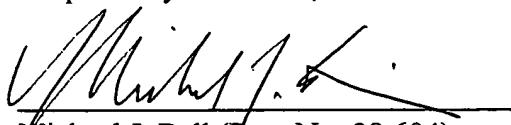
The following documents are forwarded for appropriate action by the U.S. Patent and Trademark Office:

- 1) ***Supplemental Amendment under 37 C.F.R. § 1.11***
- 2) ***Return postcard.***

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038. *A duplicate copy of this letter is enclosed.*

Respectfully submitted,



Michael J. Bell (Reg. No. 39,604)
Michael J. Stimson (Reg. No. 45,429)

Enclosures